

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431
(MJD/SRN)

This Document Relates to:

ORDER

Jeffrey Adams, et al., v. Bayer Corp., et al.
(Plaintiff Gary Poowegup only)

Case No. 04-3272

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated June 1, 2007. Plaintiff has objected to the Report and Recommendation. Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b).

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Gary Poowegup [Doc. No. 45] is GRANTED;
2. Plaintiff Gary Poowegup's action is DISMISSED WITH PREJUDICE; and
3. Plaintiff's counsel is required to pay the sum of \$106.20 to Bayer Corporation within 10 days of this Order.

DATED: August 22, 2007.

s / Michael J. Davis
Judge Michael J. Davis
United States District Court Judge